

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
**CIVIL MINUTES – GENERAL**

Case No. 8:22-cv-01549-CJC-KES Date November 22, 2022

Title National Western Life Insurance Company v. Anthony Wally Berseth et al

Present: The Honorable CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Rolls Royce Paschal

Deputy Clerk

None Present

Court Reporter

Attorneys Present for Plaintiffs:

None Present

Attorneys Present for Defendants:

None Present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE PARTIAL  
DISMISSAL FOR LACK OF PROSECUTION**

Plaintiffs are required to prosecute their cases diligently. That includes, where applicable, promptly (a) filing stipulations extending a defendant's time to respond to the complaint, (b) pursuing default and remedies under Federal Rule of Civil Procedure 55 when a defendant fails to timely respond to the complaint, or (c) dismissing claims against a defendant that the plaintiff has chosen not to pursue for any reason.

Here, Plaintiff has filed a proof of service as to **Defendant Michael Blair** yet the deadline for that Defendant's response to the Complaint has passed and Plaintiff has taken no action. Accordingly, the Court, on its own motion, hereby **ORDERS** Plaintiff to show cause in writing, no later than **November 29, 2022** why **this Defendant** should not be dismissed from this action for lack of prosecution. As an alternative to a written response by Plaintiff, the Court will consider as an appropriate response to this OSC the filing of one of the following on or before the above date:

1. Plaintiff's Request for Entry of Default **as to this Defendant** or this Defendant's Answer
2. A stipulation extending this Defendant's time to respond to the Complaint that complies with Local Rule 8.3, or
3. A Notice of Voluntary Dismissal **of this Defendant** (Fed. R. Civ. P. 41).

No oral argument will be heard on this matter unless ordered by the Court. The Order will stand submitted upon the filing of a timely and appropriate response. Failure to file a timely and appropriate response to this Order may result in dismissal of Plaintiff's claims against this defendant.

Initials of Deputy Clerk

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